



1614/ JFW

MAIL STOP - PCT
Docket No.: 27543U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: STERK
Appl. No.: 10/587,840
Appl. Filing Date: 7/28/2006
Intl. Appl. No.: PCT/EP05/50417
Intl. Filing Date: 2/1/2005
For: PHTHALAZINONE DERIVATIVES AS PDE4 INHIBITORS

Art Unit: xx
Examiner: xx

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

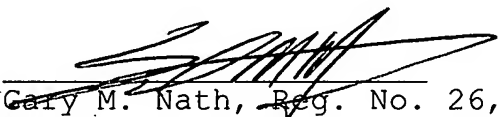
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

1. Information Disclosure Statement;
2. PTO Form-1449 with 49 cited references, and copies of 32 of the 49 cited references.

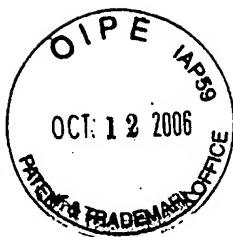
The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

October 12, 2006


Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- a. ☒ [XXX] The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- b. ☐ [] The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
The enclosed statement is accompanied by [check one]:
☐ [] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
☐ [] ii. a check in the amount required by 37 C.F.R. 1.17(p).
- c. ☐ [] The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

- ☐ Certification report(e) below; and
- ☐ a check in the amount as required by 1.17(p).

d. ☐ The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

e. Certification [Check one]. [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

g. ☐ Copies of the documents are attached herewith with a completed PTO Form-1449.

or

☐ Copies of the documents are not attached, with a completed PTO Form-1449 as allowed under CFR

1.98(d)(1)(2). The earlier application is identified as:

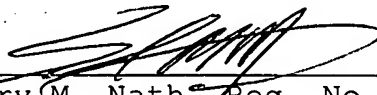
and / or
[XXX] Copies of US Patents/Publications not attached, with a completed PTO Form-1449 as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

October 12, 2006


Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
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FORM PTO-1449
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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue / Publication Date	Inventor	Filed
A1	5,267,027 (corresponds to EP0539806)	11/30/1993	Ugaki et al.	4/28/1992
A2	5,434,149 (corresponds to EP0618201)	7/18/1995	Jonas et al.	3/31/1994
A3	5,747,489 (corresponds to EP0723962)	5/5/1998	Jonas et al.	1/26/1996
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Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation
A18	196 04 388 A1	8/14/1997	DE	Abstract
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A43	2005/075437 A1	8/18/2005	WO	N/A

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A44	Coates, W.J., et al., "1,4-Bis(3-oxo-2,3-dihydropyridazin-6-yl)benzene Analogues: Potent Phosphodiesterase Inhibitors and Inodilators", <u>J. Med. Chem.</u> , Vol. 33, Pages 1735-1741, (1990).

Examiner	Date Considered
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A45	Van der Mey, M., et al., "Relationships of 4-Aryl-Substituted <i>cis</i> -Tetra- and <i>cis</i> -Hexahydrophthalazinones", <u>J. Med. Chem.</u> , Vol. 44, No. 16, Pages 2523-2535, (2001).
A46	Van der Mey, M., et al., "Novel Selective PDE4 Inhibitors. 1. Synthesis, Structure-Activity Relationships, and Molecular Modeling of 4-(3,4-Dimethoxyphenyl)-2 <i>H</i> -phthalazin-1-ones and Analogues", <u>J. Med. Chem.</u> , Vol. 44, No. 16, Pages 2511-2522, (2001).
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A48	Van der Mey, M., et al., "Novel Selective Phosphodiesterase (PDE4) Inhibitors. 4. Resolution, Absolute Configuration, and PDE4 Inhibitory Activity of <i>cis</i> -Tetra- and <i>cis</i> -Hexahydrophthalazinones", <u>J. Med. Chem.</u> , Vol. 45, No. 12, Pages 2526-2533, (2002).
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